

MAJOR CALHOUN,)
)
Plaintiff,)
)
v.) No. 4:07CV1284 CDP
)
MISSOURI DEPARTMENT OF)
CORRECTIONS, et al.,)
)
Defendants.)

This matter is before the Court on plaintiff’s motion for reconsideration. On August 10, 2007, the Court dismissed several defendants from the case pursuant to 28 U.S.C. § 1915(e)(2)(B) because the allegations in the complaint did not show a direct causal link between the actions of the defendants and the alleged violations of plaintiff’s constitutional rights. Plaintiff now moves the Court to reconsider the dismissal of those defendants because the complaint, when read together with the attached “Log of Events,” states a claim against all defendants.

The Court has reviewed the complaint together with the attached “Log of Events” and finds that the manner in which the issues are presented in the two documents makes them difficult to review. As a result, the Court will deny the motion for reconsideration. However, the Court notes that plaintiff may file an

amended complaint at any time before a responsive pleading is served. Fed. R. Civ. P. 15(a). Additionally, if plaintiff is unable to file an amended complaint before a responsive pleading is filed, he may move for leave of Court to file an amended complaint and leave shall be “freely given when justice so requires.” Id.


If plaintiff chooses to file an amended complaint, he is warned that his amended complaint will take the place of his original complaint and will be the only complaint before the Court. As a result, plaintiff must include all of the defendants whom he wishes to sue in the caption of the complaint and set out specific facts against each of them in the complaint. Failure to do so risks dismissal of one or all defendants.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion for reconsideration [#14] is **DENIED**.

IT IS FURTHER ORDERED that the Clerk shall mail to plaintiff a copy of the Court-provided form “Complaint Under the Civil Rights Act, 42 U.S.C. § 1983.”

Dated this 10th day of September, 2007.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE